

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, JULY 29, 2003  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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**CHRONOLOGY OF THE MEETING:**

The meeting was called to order by Mayor Murphy at 10:10 a.m. Mayor Murphy welcomed Czech Republic representatives to San Diego. The meeting was recessed by Mayor Murphy at 11:24 a.m. for the purpose of a break.

Mayor Murphy reconvened the meeting at 11:33 a.m. with all Council Members present. Mayor Murphy recessed the meeting at 11:36 a.m. to convene the Redevelopment Agency. Mayor Murphy reconvened the meeting at 11:37 a.m. with all Council Members present. Mayor Murphy recessed the meeting at 11:37 a.m. to reconvene the Redevelopment Agency. Mayor Murphy reconvened the meeting at 11:38 a.m. with all Council Members present. Mayor Murphy recessed the meeting at 11:38 a.m. to reconvene the Redevelopment Agency and thereafter the Special Joint Council Meeting with the Redevelopment Agency and the Housing Authority. Mayor Murphy reconvened the meeting at 12:00 p.m. with all Council Members present and thereafter recessed the meeting for the purpose of the scheduled lunch break.

The meeting was reconvened by Mayor Murphy at 2:07 p.m. with Council Member Zucchet and Deputy Mayor Inzunza not present. Mayor Murphy recessed the meeting to convene the Special Joint Council Meeting with the Redevelopment Agency and the Housing Authority at 2:11 p.m. Mayor Murphy reconvened the meeting at 4:27 p.m. with all Council Members present. Mayor Murphy adjourned the meeting at 4:33 p.m. into Closed Session immediately following the regular meeting in the twelfth floor conference room to discuss anticipated and existing litigation.

**ATTENDANCE DURING THE MEETING:**

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Zucchet-present
- (3) Council Member Atkins-present

- (4) Council Member Lewis-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

Clerk-Abdelnour (er/gS)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Zucchet-present
- (3) Council Member Atkins-present
- (4) Council Member Lewis-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Al Strohlien commented on water conservation, prayer, and the Pledge of Allegiance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:11 a.m. - 10:14 a.m.)

**PUBLIC COMMENT-2:**

Reverend Wayne Riggs, Gene Terry, and Douglas Marmoc extended an invitation to the Council to attend the Living Wage rally to be held in the Concourse at 12:00 p.m.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:14 a.m. - 10:17 a.m.)

**PUBLIC COMMENT-3: REFERRED TO THE CITY MANAGER**

Anthony Grizich commented on the City organization and his belief that his rights were violated by the City Attorney's Office.

Mayor Murphy directed the City Manager's Office to obtain information from Mr. Grizich regarding his concerns.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:17 a.m. - 10:21 a.m.)

**PUBLIC COMMENT-4:**

Marvin Carpenter donated some paintings and statues to the City of San Diego for the public's benefit.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:21 a.m. - 10:22 a.m.)

**PUBLIC COMMENT-5:**

Ron Boshun commented on the Council's actions.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:22 a.m. - 10:26 a.m.)

**PUBLIC COMMENT-6:**

Noel Nuedeck commented on Princess Del Cerro Neighborhood Park.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:26 a.m. - 10:30 a.m.)

**PUBLIC COMMENT-7:**

Steve McWilliams commented on medical marijuana and the death of Chris Campbell.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:30 a.m. - 10:34 a.m.)

**PUBLIC COMMENT-8:**

Judy Strang expressed her concerns regarding the illegal use of marijuana by San Diego's youth and presented information on medical marijuana.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:34 a.m. - 10:37 a.m.)

**PUBLIC COMMENT-9:**

Frank Eaves commented on the Yanti Sister City Council Resolution.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:37 a.m. - 10:40 a.m.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Council Member Maienschein introduced his wife and daughter to everyone.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 2:07 p.m. - 2:09 p.m.)

COUNCIL COMMENT-2:

Council Member Atkins announced Kelly Phillips from City News would be starting a new position and wished her well.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 2:09 p.m. - 2:10 p.m.)

COUNCIL COMMENT-3:

Council Member Madaffer wished to recognize the members of Boy Scout Troop 950 from San Carlos.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 2:10 p.m. - 2:11 p.m.)

CITY MANAGER COMMENT:

None.

CITY ATTORNEY COMMENT:

None.

ITEM-330: Three actions related to Authorization to Notice and Conduct Project Area Committee Elections for 2003 for Three Redevelopment Project Areas.

(See City Manager Reports CMR-03-155 and CMR-03-098. City Heights, College Area, Uptown, Old Town, Mission Valley, Linda Vista, Peninsula, Midway/Pacific Highway Corridor and Clairemont Mesa Community Areas. Districts-2, 3, 4, 6, and 7.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2004-116) RETURNED TO THE CITY MANAGER

Directing the Redevelopment Agency staff to notice and conduct a PAC election for the City Heights PAC in 2003.

Subitem-B: (R-2004-117) RETURNED TO THE CITY MANAGER

Directing the Redevelopment Agency staff to notice and conduct a PAC election for the College Community PAC in 2003.

Subitem-C: (R-2004-118) RETURNED TO THE CITY MANAGER

Directing the Redevelopment Agency staff to notice and conduct a PAC election for the North Bay PAC in 2003.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 11:34 a.m. - 11:36 a.m.)

ITEM-331: Two actions related to Confirmation of Appointment of Police Chief.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2004-100) ADOPTED AS RESOLUTION R-298264

Partial Waiver of Council Policy 300-8 Procedures for the Confirmation of the Appointment of the Police Chief.

Subitem-B: (R-2004-101) ADOPTED AS RESOLUTION R-298265

Confirmation of Appointment of Police Chief.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 10:40 a.m. - 11:24 a.m.)

MOTION BY MADAFFER TO ADOPT TH RESOLUTIONS AND REFER COUNCIL POLICY 300-8 TO THE PUBLIC SAFETY & NEIGHBORHOOD SERVICES COMMITTEE FOR REVISION. Second by Atkins. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-332: Community Centers Rehabilitation Project - San Ysidro Project Area - Fund Transfer.

(See City Manager Report RA-03-19/CMR-03-126. San Ysidro Community Area. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2004-41) ADOPTED AS RESOLUTION R-298266

Finding and determining that the rehabilitation repairs for the Community Centers Rehabilitation Project, for which the Agency proposes to contribute funding, are of benefit to the San Ysidro Redevelopment Project; that no other reasonable means of financing the improvements is available to the community; that payment of funds for the costs of the improvements will assist in the elimination of one or more blighting conditions inside the Project Area; and that the improvements are consistent with the implementation plan adopted pursuant to California Health and Safety Code Section 33490;



Authorizing the City Manager to accept funding in the amount of \$75,000 from San Ysidro Redevelopment Fund 98570 into Fund 10269;

Authorizing a \$75,000 increase in Fund 10269;

Authorizing the City Auditor and Comptroller to appropriate and expend \$75,000 from Fund 10269, for the Community Centers Rehabilitation Project;

Approving the Cooperation Agreement and authorizing the City Manager to execute the Cooperation Agreement with the Agency to accept up to \$75,000 funding from San Ysidro Redevelopment funds, for the purpose of implementing the Community Centers Rehabilitation Project.

**NOTE:** See the Redevelopment Agency Agenda of 7/29/2003 for a companion item.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Time duration: 11:36 a.m. - 11:36 a.m.)

MOTION BY INZUNZA TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-333: Consolidated Aircraft Truck Crossing Bridge - North Bay Redevelopment Project Area.

(See City Manager Report RA-03-25/CMR-03-150. Midway/Pacific Highway Corridor Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2004-138) ADOPTED AS RESOLUTION R-298267

Finding and determining that the Federal and State mandated demolition of the Consolidated Aircraft Truck Crossing Bridge for which the Agency proposes to pay a portion of is of benefit to the North Bay Redevelopment Project; finding and

determining that no other reasonable means for financing the demolition are available to the community; finding and determining that the demolition will assist in eliminating one or more blighting conditions inside the Project Area; and finding and determining that the demolition is consistent with the Implementation Plan adopted for the Project by the Agency, May 1998, on file in the office of the Secretary to the Agency pursuant to California Health and Safety Code Section 33490;

Accepting the transfer of funds from the Agency in the amount of \$100,000;

Amending and increasing the Capital Improvement Program Budget No. 53-038-8, to include the \$100,000 in Agency public improvement contributions.

Aud. Cert. 2400076.

**NOTE:** See the Redevelopment Agency Agenda of 7/29/2003 for a companion item.

**FILE LOCATION:** MEET (66)

**COUNCIL ACTION:** (Time duration: 11:37 a.m. - 11:37 a.m.)

MOTION BY ZUCCHET TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-334: West San Ysidro Boulevard Streetscape Improvements Project.

(See City Manager Report RA-03-18/CMR-03-125. San Ysidro Community Area. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2004-126) ADOPTED AS RESOLUTION R-298268

Finding and determining that the construction of public improvements on West San Ysidro Boulevard, between Cottonwood Road and Via de San Ysidro, for

which the Redevelopment Agency proposes to contribute funding and that the improvements are consistent with the implementation plan adopted pursuant to Section 33490, and are of benefit to the San Ysidro Redevelopment Project; that no other reasonable means of financing the improvements is available to the community; that payment of funds for the costs of the improvements will assist in the elimination of one or more blighting conditions inside the Project Area;

Authorizing the City Manager to accept up to \$270,000 in San Ysidro Redevelopment funds from the Agency for the purpose of constructing the West San Ysidro Boulevard Streetscape Improvements Project;

Authorizing the City Manager to enter into an agreement between the City of San Diego and the San Ysidro Business Improvement District to provide \$35,000 in construction funding assistance and maintenance of the proposed Streetscape Project (\$10,000 in BID and \$25,000 in CDBG funds) for \$10,000 construction funding and maintenance for the West San Ysidro Streetscape Improvements Project;

Approving a \$305,000 budget in Fiscal Year 2004 Capital Improvements Program budget in CIP-39-091.0.

Aud. Cert. 2400056.

**NOTE:** See the Redevelopment Agency agenda of 7/29/2003 for a companion item.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Time duration: 11:38 a.m. - 11:38 a.m.)

MOTION BY INZUNZA TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

COUNCIL ACTION: (Time duration: 4:27 p.m. - 4:33 p.m.)